

**IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:16 CV 471**

<b>SERUM SOURCE INTERNATIONAL, INC.,</b>	)	
	)	
	)	
<b>Plaintiff</b>	)	
	)	<b><u>ORDER</u></b>
<b>v</b>	)	
	)	
<b>GE HEALTHCARE BIO-SCIENCES CORP. and GE HEALTHCARE, INC.,</b>	)	
	)	
	)	
<b>Defendants.</b>	)	

**THIS MATTER** is before the undersigned pursuant to a filing made by Plaintiff entitled “Brief by Plaintiff on the Issue of Award of Costs and Fees Arising From Plaintiff’s Motion to Compel Discovery” (#43) and a filing by Defendant entitled “Defendant GE Healthcare Bio-Sciences Corp.’s Brief in Opposition to an Award of reasonable Expenses” (#45).

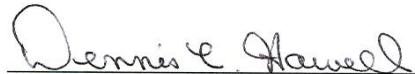
This Court had entered an Order (#39) on March 8, 2017 directing that Plaintiff and Defendant submit briefs regarding the issue of costs and fees arising from the Plaintiff’s Motion to Compel. In the Brief of Plaintiff (#43), Plaintiff has notified the Court that Plaintiff does not seek an award of costs and fees arising from its Motion to Compel. The Brief of the Plaintiff (#43) thus renders the Defendant’s Brief (#45) moot and inconsequential. In light of the filing by the Plaintiff, (#43) the

undersigned will not issue an Order awarding such costs and fees.

**ORDER**

**IT IS, THEREFORE, ORDERED** that neither Plaintiff nor Defendant is to respond further in regard to the Court's Order (#39) of March 8, 2017 regarding the award of attorney fees and costs in this matter and it is **ORDERED** that costs and fees shall not be awarded to Plaintiff, pursuant to the request of Plaintiff's counsel.

Signed: March 16, 2017

  
Dennis L. Howell

Dennis L. Howell  
United States Magistrate Judge

